

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joachim Kiefer, Oemer Uensal and Gordon Calundann

Application No.: 10/523,373

Group Art Unit: 1713

371 (c)/Filed: March 23, 2005

Examiner: Michael Bernshteyn

Confirmation No.: 3591

Title: Proton-Conducting Polymer Membrane Comprising a Polymer with Sulphonic Acid Groups and Use Thereof in Fuel Cells

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

02/14/2006 HTECKLU1 00000093 10523373

01 FC:1806

180.00 DP

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☐ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☒ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☒ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application file.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references are enclosed. [AM-AN5, AR-AT]
 - ☐ Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
 - ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☒ The "concise explanation" requirement (non-English references) for reference(s) [AM-AO, AQ, AL2, AM3, AO3, AP3-AL4, AN4-AQ4, AL5-AN5] under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☒ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☒ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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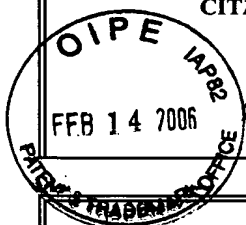
Dated: 2/10/06

PTO-1449 REPRODUCED

SUPPLEMENTAL INFORMATION DISCLOSURE
CITATION IN AN APPLICATION

February 10, 2006

(Use several sheets if necessary)

ATTORNEY DOCKET NO.
3799.1009-000APPLICATION NO.
10/523,373FIRST NAMED INVENTOR
Joachim KieferFILING DATE
March 23, 2005EXAMINER
Michael BernshteynCONFIRMATION NO.
3591GROUP
1713

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AC	3,224,908	12-21-1965	Duch, <i>et al.</i>
	AD	3,293,088	12-20-1966	Herbst, <i>et al.</i>
	AE	3,737,045	06-05-1973	Hasimoto, <i>et al.</i>
	AF	3,808,305	04-30-1974	Gregor
	AG	4,012,303	03-15-1977	D'Agostino, <i>et al.</i>
	AH	4,187,333	02-05-1980	Rembaum, <i>et al.</i>
	AI	4,537,668	08-27-1985	Gaussens, <i>et al.</i>
	AJ	4,622,276	11-11-1986	Walsh
	AK	4,634,530	01-06-1987	Kuder, <i>et al.</i>
	AA2	5,098,985	03-24-1992	Harris, <i>et al.</i>
	AB2	5,211,984	05-18-1993	Wilson
	AC2	5,218,076	06-08-1993	Madison, <i>et al.</i>
	AD2	5,312,895	05-17-1994	Dang, <i>et al.</i>
	AE2	5,492,996	02-20-1996	Dang, <i>et al.</i>
	AF2	5,599,639	02-04-1997	Neoya, <i>et al.</i>
	AG2	5,633,337	05-27-1997	Tan, <i>et al.</i>
	AH2	5,643,968	07-01-1997	Andreola <i>et al.</i>
	AI2	5,656,386	08-12-1997	Scherer, <i>et al.</i>
	AJ2	5,674,969	10-07-1997	Sikkema, <i>et al.</i>
	AK2	6,030,718	02-20-2000	Fuglevand, <i>et al.</i>
	AA3	6,087,032	07-11-2000	Yoshitake, <i>et al.</i>
	AB3	6,096,369	08-01-2000	Anders, <i>et al.</i>
	AC3	6,110,616	08-29-2000	Sheikh-Ali, <i>et al.</i>
	AD3	6,197,147 B1	04-06-2001	Bönsel, <i>et al.</i>
	AE3	6,248,469 B1	06-19-2001	Formato, <i>et al.</i>

EXAMINER

DATE CONSIDERED

(Use several sheets if necessary)

EXAMINER
Michael Bernshteyn

FILING DATE
March 23, 2005

CONFIRMATION NO.
3591

GROUP
1713

DATE CONSIDERED

PTO-1449 REPRODUCED SUPPLEMENTAL INFORMATION DISCLOSURE CITATION IN AN APPLICATION February 10, 2006 (Use several sheets if necessary)	ATTORNEY DOCKET NO. 3799.1009-000		APPLICATION NO. 10/523,373	
	FIRST NAMED INVENTOR Joachim Kiefer		FILING DATE March 23, 2005	
	EXAMINER Michael Bernshteyn		CONFIRMATION NO. 3591	GROUP 1713

FOREIGN PATENT DOCUMENTS						
		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO	
	AM	DE 101 48 131 A1	05-08-2003	GKSS-Forschungszentrum Geesthacht GmbH		
	AN	DE 1 301 578	08-21-1969	Teijin Ltd.		
	AO	DE 196 53 484 A 1	06-25-1998	Fraunhofer Ges Foerderung Angewandten		
	AP	EP 0 265 921 A2 & A3	05-04-1988	Hoechst Celanese Corporation		
	AQ	EP 0 846 733 A2	06-10-1998	Daimler-Benz Aktiengesellschaft (DE)		
	AL2	EP 0 893 165 A2	01-27-1999	Huels Chemische Werke AG		
	AM2	EP 1 110 992 A1	06-27-2001	Kabushiki Kaisha Toyota Chuo		
	AN2	EP 1 202 365 A1	05-02-2002	Center for Advanced Science and Technology Incubation, Ltd.		
	AO2	EP 1354907 A1	10-22-2003	Toyo Boseki Kabusiki Kaisha		
	AP2	WO 94/25506	11-10-1994	Akzo Nobel N.V.		
	AQ2	WO 99/10165	03-04-1999	Foster-Miller, Inc. (US)		
	AL3	WO 00/49069	08-24-2000	Mikael Paronen		
	AM3	WO 00/54351	09-14-2000	Center for Advanced Science and Technology Incubation, Ltd.		
	AN3	WO 01/45192 A1	06-21-2001	Proton Energy Systems, Inc.		
	AO3	WO 02/081547 A1	10-17-2002	Celanese Ventures GmbH		
	AP3	WO 02/088219 A1	11-07-2002	Celanese Ventures GmbH		
	AQ3	WO 02/38650 A1	05-16-2002	Toyo Boseki Kabusiki Kaisha		
	AL4	WO 03/022412 A2 & A3	03-20-2003	Celanese Ventures GmbH		
	AM4	EP 0 476 560 A1	03-25-1992	The Dow Chemical Company		
	AN4	WO 02/071518 A1	09-12-2002	Celanese Ventures GMBH		
	AO4	WO 02/102881 A1	12-27-2002	Celanese Ventures GMBH		
	AP4	WO 02/36249 A1	05-10-2002	Celanese Ventures GMBH		

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February 10, 2006

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Spry, R. J., *et al.* "Anisotropic Ionic Conductivity of Lithium-Doped Sulfonated PBI, *J. Of Polymer Sci.: Part B: Polymer Physics*, 35: 2925-2933 (1997)

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DATE CONSIDERED